

To: Fleisig, Erica[Fleisig.Erica@epa.gov]; Berol, David[Berol.David@epa.gov]
Cc: Crk, Tanja[Crk.Tanja@epa.gov]; Chung, Angela[Chung.Angela@epa.gov]; Guzzo, Lindsay[Guzzo.Lindsay@epa.gov]; Szalay, Endre[Szalay.Endre@epa.gov]; Steiner-Riley, Cara[Steiner-Riley.Cara@epa.gov]; Fidis, Alexander[Fidis.Alexander@epa.gov]; Buffo, Corey[Buffo.Corey@epa.gov]; Ford, Peter[Ford.Peter@epa.gov]; Schroer, Lee[schroer.lee@epa.gov]
From: Szelag, Matthew
Sent: Tue 3/7/2017 5:51:24 PM
Subject: RE: WA Toxic Criteria and AWB Petitions
Draft WA comparison chart 3 6 17.xlsx

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>>>>>>>>>
Hi all,

Attached is a spreadsheet outlining WA's aquatic life criteria and comparing them for our call today. To briefly summarize:

Priority pollutants for which we have more stringent 304a:

Acrolein, arsenic, cadmium, copper, dieldrin, endrin, lindane, mercury, nickel, PCP, selenium

Of that list, which do we have jeopardy opinions in neighboring states on something the same or more stringent:

(Not sure about acrolein), arsenic (chronic only), cadmium (acute only), copper, mercury (chronic only), nickel, selenium (chronic only)

Non-priority pollutants that we have jeopardy opinions on our 304a for neighboring states: ammonia and aluminum

Also, please see initial responses to David's questions below in red.

Ex. 5 - Attorney Client

Ex. 5 - Attorney Client

Talk to you soon and thanks to Erica for helping pull this information together.

Matthew Szelag | Water Quality Standards Coordinator

U.S. Environmental Protection Agency | Region 10

222 W 7th Avenue, #19 | Anchorage, AK 99513

P: (907) 271.1208 | szelag.matthew@epa.gov

From: Fleisig, Erica

Sent: Tuesday, March 07, 2017 4:24 AM

To: Berol, David

Cc: Crk, Tanja ; Chung, Angela ; Szelag, Matthew ; Guzzo, Lindsay ; Szalay, Endre ; Steiner-Riley, Cara ; Fidis, Alexander ; Buffo, Corey ; Ford, Peter ; Schroer, Lee

Subject: Re: WA Toxic Criteria and AWB Petitions

David and others,

Matt is taking a quick look through our latest spreadsheet when he gets in this morning, and will send it around before our meeting. We haven't done the last step in David's email yet, but I agree it could be useful and we should discuss as a group.

Erica

From: Berol, David

Sent: Monday, March 6, 2017 1:56:42 PM

To: Fleisig, Erica

Cc: Crk, Tanja; Chung, Angela; Szelag, Matthew; Guzzo, Lindsay; Szalay, Endre; Steiner-Riley, Cara; Fidis, Alexander; Buffo, Corey; Ford, Peter; Schroer, Lee

Subject: Re: WA Toxic Criteria and AWB Petitions

Thanks, Erica.

Ex. 5 - Attorney Client

Ex. 5 - Attorney Client

-- David Berol

U.S. EPA Office of General Counsel

202-564-6873

On Mar 5, 2017, at 11:44 PM, Fleisig, Erica <Fleisig.Erica@epa.gov> wrote:

Ex. 5 - Attorney Client

From: Berol, David

Sent: Friday, March 03, 2017 3:35 PM

To: Crk, Tanja <Crk.Tanja@epa.gov>; Chung, Angela <Chung.Angela@epa.gov>; Szelag, Matthew <Szelag.Matthew@epa.gov>; Guzzo, Lindsay <Guzzo.Lindsay@epa.gov>; Szalay, Endre <Szalay.Endre@epa.gov>; Steiner-Riley, Cara <Steiner-Riley.Cara@epa.gov>; Fleisig, Erica <Fleisig.Erica@epa.gov>; Fidis, Alexander <Fidis.Alexander@epa.gov>; Buffo, Corey <Buffo.Corey@epa.gov>; Ford, Peter <Ford.Peter@epa.gov>

Cc: Schroer, Lee <schroer.lee@epa.gov>

Subject: RE: WA Toxic Criteria and AWB Petitions

Attorney-Client Privileged; Deliberative

Ex. 5 - Attorney Client

Ex. 5 - Attorney Client

David Berol

U.S. EPA Office of General Counsel

202-564-6873

berol.david@epa.gov

-----Original Appointment-----

From: Crk, Tanja

Sent: Thursday, February 23, 2017 9:59 AM

To: Crk, Tanja; Chung, Angela; Szelag, Matthew; Guzzo, Lindsay; Szalay, Endre; Steiner-Riley, Cara; Fleisig, Erica; Fidis, Alexander; Buffo, Corey; Berol, David; Ford, Peter

Cc: Schroer, Lee

Subject: WA Toxic Criteria and AWB Petitions

When: Tuesday, March 07, 2017 1:00 PM-2:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where: HQ-Room-WJCW-6124-50pp

Ex. 6 - Personal Privacy

Note that this is an EPA (internal) meeting for staff and BCs to discuss two petitions: 1) the complaint by NWEA regarding EPA's response (or failure to respond) to the NWEA petition to update the WQC for toxics in WA and includes a no action reference on arsenic, dioxin, and thallium; and 2) the AWB petition to withdraw the federal rule in WA.

Ex. 5 - Deliberative Process / ACP

Agenda

1. Discuss the WA petition from NWEA

[NWEA petition response.pdf](#)

Response to NWEA May 2016. Is there an email record of sending this petition response to Nina?

2. Discuss the AWB petition